



SARAH M. MATZ
PARTNER
SARAH@ADELMANMATZ.COM
DIR: (646) 650-2213

January 18, 2018

VIA ECF AND E-MAIL

Hon. Judge Cathy Seibel
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St., Courtroom: 621
White Plains, NY 10601-4150
chambersnysdseibel@nysd.uscourts.gov

Re: *Can't Stop Productions, Inc. v. Sixxvux, Ltd. et al.* 7:17-cv-06513-CS

Hon. Judge Seibel:

We represent the Defendants in the above referenced action. We write pursuant to rule 1.A of Your Honor's Individual Practices. We write in brief response to Ms. Willis' letter opposing our request for an extension of time, which raised additional grounds for opposing our request, that were not previously raised.

It is not accurate to state or imply that Intervenor did not have notice of and involvement in the agreement to leave the current December 14, 2017 Temporary Restraining Order in place and hold Defendants' motion for a preliminary injunction in abeyance until after the mediation. It is true that Intervenor was not a party to the November 30, 2017, hearing, which resulted in the December 1, 2017 Order. However, Intervenor was represented by counsel who was present at the December 8, 2017, hearing at which it was agreed that the modified December 14, 2017 Temporary Restraining Order would stay in place until after the mediation session. *See* 12/8/17 Tr. Pp. 31. *See also* 12/14/17 Order pp. 8 (which was agreed to language in the draft that was sent to the Court, and allowed the parties' to request that the hearings be put on the calendar after the mediation).

Intervenor was represented by counsel at both the December 8, 2017 hearing, where by agreement the parties delayed the scheduling of the preliminary injunction hearing, which was also reflected in the agreed upon language approved by Intervenor's counsel in the proposed order. It is unfair for Intervenor to try to reverse this position in opposition to Defendants' request for a one (1) business day extension of time. That is especially true, where the re-scheduling of the mediation to a later date was originally at her counsel's request. *See* 12/8/17 Tr. Pp. 15.

ADELMAN MATZ P.C.

PHONE: (646) 650-2207 • FAX: (646) 650-2108

MAILING:
1173A SECOND AVENUE, SUITE 153
NEW YORK, NEW YORK 10065

OFFICE:
780 THIRD AVENUE, 14TH FLOOR
NEW YORK, NEW YORK 10017

We respectfully request that the Court grant our short adjournment request. We appreciate the Court's time and consideration, and should Your Honor need any further information, we are available at the Court's convenience.

Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to read 'SM' with a stylized flourish.

Sarah M. Matz, Esq.

Cc. (Via ECF and E-Mail)
All Counsel of Record
Ms. Karen Willis